

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

Kathryn KNOWLTON, Dana McCORMICK et al,

Plaintiffs,

v.

Case No. 20 CV 01660

CITY OF WAUWATOSA, Dennis McBRIDE,
Barry WEBER, et al,

Defendants.

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AND REQUEST
FOR ORAL ARGUMENTS**

Pursuant to Fed. R. Civ. P. 56 Plaintiffs Knowlton, et al (“Plaintiffs”), through their undersigned counsel, respectfully move this Court to enter partial summary judgment against Defendants, City of Wauwatosa, et al. Plaintiffs seek a declaratory judgment as to liability, including all agency action to implement or enforce any unlawfully enacted emergency orders and request for oral arguments on this matter. As further set forth in Plaintiffs’ attached Memorandum in support of their motion, the challenged order impermissibly exceeded the Defendants’ statutory authority under Wisconsin Statutes and by overreach is discriminatory in violation of the 1st Amendment of the United States Constitution.

In further support of this Motion, Plaintiffs respectfully refer the Court to the attached Memorandum in support of their Motion, and supplemental attachments as referenced therein.

Wherefore, Plaintiffs request that their Motion for Partial Summary Judgment on liability for the unlawfully enacted emergency proclamation and all subsequent actions in furtherance and purported enforcement of the unlawful order, be granted.

Respectfully submitted this 31st day of January, 2022.

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